IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 27246 of 2006

DATED: 2.2.2007

Between:

M.Bondyalu & another petitioner

And

Board of Directors,
Girijan Cooperative Corporation Ltd
Lawsons Bay Colony, Visakapatnam
Rep by its Chairperson & ors Respondents

THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO. 27246 OF 2006

ORAL ORDER:

The present writ petition is filed questioning the proceedings dated 27.12.2006 in promoting the juniors to petitioners as Senior Managers ignoring the claim of the petitioners as illegal and arbitrary.

The petitioners herein are employed in the Girijan Cooperative Corporation Limited as Junior Managers. They claim that they are entitled to the post of Senior Managers. The second respondent by impugned proceedings promoted the unofficial respondents to the post of Senior Manager in the time scale of Rs..5980-12100. The impugned proceedings indicate that the said promotions were issued without prejudice to the claims of the petitioners and three others, whose promotions are deferred due to pendency of disciplinary actions/undergoing punishments/bad records/inefficiency etc. The petitioners claim that there are no disciplinary proceedings pending against them and ignoring their claim for promotion is illegal and arbitrary. Hence, the present writ petition.

This Court while admitting the writ petition by order dated 29.12.2006 granted interim order that any promotion to the post of Senior Manager is subject to further orders.

Today when the matter is taken up, learned standing counsel for

respondent corporation submitted that there are no disciplinary proceedings pending against the petitioners and inadvertently under an impression that there disciplinary proceedings pending against them, their cases were not considered by the Board and based on the resolution of the Board, impugned orders were passed promoting the unofficial respondents. It is further stated that the term of the Board was over and presently the second respondent is Incharge of the corporation and the cases of the petitioners will be reconsidered in accordance with law.

Heard the learned counsel for petitioner and learned standing counsel for respondent corporation.

Having regard to the submission of the learned standing counsel for respondent corporation that there are no disciplinary proceedings pending against the petitioners and their cases will be reconsidered by the second respondent in accordance with law, I deem it appropriate to dispose of the writ petition with the following order;

The second respondent is directed to reconsider the cases of the petitioners for promotion to the post of Senior manager in accordance with law and pass appropriate orders expeditiously, preferably within a period of six weeks from the date of receipt of copy of this order.

Accordingly, the writ petition is disposed of. No costs.

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N.V.RAMANA,J

DATE: 2.2.2007
TVK

THE HON'BLE MR JUSTICE N.V. RAMANA

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